

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

PUBLIC SERVICES – CT Department – Secunderabad Nodal Division – Sri Ch.Shivram, (DR) ACTO and Sri G.Venugopal Reddy (DR) ACTO - Request for revision of date of commencement of probation - Appeal for relaxation of 16(h) of APS & SS Rules, 1996 - Orders – Issued.

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#### REVENUE (CT.I) DEPARTMENT

G.O.Rt.No.461.

Date.26.03.2012.  
Read the following

1. CCTs Ref No.DX(2)/968/2011, Dated.20.01.2012.
2. Representation dated. 28.01.2012 of Sri G.Venugopal Reddy, ACTO

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#### ORDER:

In the reference 1<sup>st</sup> read above, the Commissioner of Commercial Taxes has reported that Sri Ch.Shivram, and Sri G.Venugopal Reddy, have joined as DR ACTOs in Secunderabad Nodal Division on 24.10.2007 and 30.10.2007 respectively. However, they have passed the last departmental tests as indicated below which is beyond three years from the date of their joining.

Sl. No.	Name	Last Departmental Test Passed	Date of publication of results
1	Sri Ch.Shivram, ACTO	LF Audit Paper IV	July,2011
2	Sri G.Venugopal Reddy, ACTO	LF Audit Paper IV	21.11.2011

2) Further the CCT has informed that the APPSC has not conducted examinations in respect of two sessions in the year 2008 i.e. May'2008 and Nov'2008 but conducted the exams for May'2009 session together with the May'2008 and Nov'2008 sessions. Hence, they could not avail two exams sessions in their service. However Sri Ch.Shivram, DR ACTO and Sri G.Venugopal Reddy, DR ACTO have passed departmental tests within six chances i.e. November, 2010 session. Thus the delay in passing the required departmental tests is not attributable to the individuals.

3) The Commissioner of Commercial Taxes has requested the Govt. to issue appropriate orders for re-fixation of the date of commencement of probation of the individuals under rule 16(h) of the APS & SS Rules, 1996.

4) Government, have examined the matter carefully and observe as follows:-

(a) Sri Ch.Shivram, ACTO(DR) has passed the last departmental exam i.e. LF Audit Paper.IV in July, 2011. As per the schedule for the Jan, 2010 session the APPSC has to conduct the departmental exams in the month of May, 2010 and results have to be published in the month of July, 2010. But the APPSC has not conducted the departmental tests as per schedule and the notification of the said session was issued on 18.10.2010 instead of Jan, 2010; with a delay of 9 months and the exam was conducted on 13.12.2010 instead of May, 2010; with a delay of 7 months and results were published in July, 2011; instead of last Thursday of July, 2010 i.e. 29.07.2010; with a delay of 12 months from the scheduled period.

(b) Sri G.Venugopal Reddy, ACTO(DR) has passed the last departmental exam i.e. LF Audit Paper.IV on 21.11.2011. As per schedule for the July, 2010 session, the APPSC has to conduct the departmental exams in the month of Nov, 2010 and results have to be published in the month of Jan, 2011. But the APPSC has not conducted the departmental tests as per schedule and the notification of the said session was issued on 17.05.2011 instead of July,2010; with a delay of 10 months and the exam was conducted on 19.07.2011 instead of Nov, 2010; with a delay of 8 months and results were published on 21.11.2011; instead of last Thursday of January, 2011 i.e. 28.01.2011; with a delay of 10 months from the scheduled period.

5) It is observed from the above that in the first case i.e. Sri Ch.Shivram ACTO(DR) who joined as ACTO on 24.10.2007 has passed the last departmental test in the month of July, 2011 which is beyond three years from the date of his joining. Had the departmental test been conducted on time he would have passed the same on 29.07.2010. Hence, the delay in passing the test is not due to the fault of the individual but due to delay in conducting of departmental tests by the APPSC. Hence the delay in passing of tests cannot be attributed to the individual. It is therefore decided to relax rule 16(h) of Andhra Pradesh State and Subordinate Service Rules 1996 in favour of the said individual by invoking the powers of relaxation conferred under Rule 31 of APS & SS Rules, 1996 read with rule 6 and 7 of the AP departmental test rules, 1965 and accordingly the probation of Sri Ch.Shivram, ACTO(DR) of Secunderabad Nodal Division is deemed to have commenced from the date of his joining i.e. 24.10.2007.

6) In respect of Sri G.Venugopal Reddy, ACTO(DR), who joined as ACTO on 30.10.2007, it is observed that even if the exams were conducted on time and results published on time still the individual would have completed his probation in January, 2011 which is beyond 3 years from the date of his joining. It is therefore decided to extend his probation up to the deemed date of declaration of results for the January, 2011 session of exam as per the A.P. Departmental Test Rules in terms of rule 16(h) of Andhra Pradesh State and Subordinate Service Rules 1996. Accordingly, and in terms of rule 16(h) of the APS & SS Rules, 1996 read with rule 6 and 7 of the departmental test rules, 1965, Government hereby order that Sri G.Venugopal Reddy, ACTO(DR), shall be deemed to have commenced his probation two years anterior to the deemed date of publication of results by the APPSC i.e. 28.01.2011. Thus his probation would be deemed to have commenced on 29.01.2009.

7) The Commissioner of Commercial Taxes, Hyderabad shall take necessary further action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)**

**ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Commissioner of Commercial Taxes, Hyderabad.  
**Copy to:** the individual through the Commissioner of Commercial Taxes,  
Hyderabad.  
SF/SCs.

**// FORWARDED BY ORDER //**

**SECTION OFFICER**